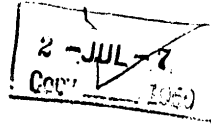


NO. 4.

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Wednesday 26th Moharram,
1378 and the 13th August,
1958.

Serial No.	SUBJECT	No. of Notifica- tion.	Office of Origin	Page
1.	Interim Constitution of the Republic of Iraq.	... 2	C.M.	37

INTERIM - COSTITUITION

WHEREAS the National Move undertaken by the Iraqi Army on the 14th of July with the co-operation and support of the people aims at establishing the sovereignty of the people, and endeavour to guard against its violation and at ensuring and safeguarding the rights of citizens and whereas the previous regime in the country which has been rejected was supported by political corruption; as power was seized by individuals who ruled the country against the will of the majority and against the interests of the people, since the objective of that rule was the satisfaction of those individuals and to ensure the interests of colonialism and the implementation of its desires as was set down in the first proclamation to the people on the 14th of July 1958 at the inception of the National move and which incorporated the downfall of the Monarchy and the setting up of the Iraqi Republic.

We therefore in the name of the people hereby declare the annulment of the Iraqi Constitution and all its amendments as from July 14, 1958. And in order to establish the basis for Government and to regulate the rights and duties for all the citizens, we hereby proclaim this provisional Constitution to remain in force during the transitional period until such time as a permanent constitution is adopted.

CHAPTER I THE REPUBLIC OF IRAQ

Article 1.—The state of Iraq is an independent sovereign Republic.

Article 2.—Iraq is an integral part of the Arab Nation.

Article 3.—The structure of Iraq stands on a basis of mutual co-operation among all its citizens and respect of their rights and protection of their liberty.

Arabs and Kurds are considered partners in this Nation and their national rights within the unity of Iraq are recognized by this constitution.

Article 4.—Islam is the Religion of the State.

Article 5.—The Capital of the Republic is Baghdad.

Article 6.—The Iraqi Flag and the National Emblem of the Republic and all matters relating to them shall be determined by Law.

CHAPTER II SOURCE OF POWERS, PUBLIC RIGHTS AND DUTIES.

Article 7.—The people are the source of all powers.

Article 8.—Iraqi Nationality is determined by law.

Article 9.—Citizens are equal before the law in their public rights and obligations and there shall be no distinction between them by reasons of race, origin, language, religion or belief.

Article 10.—Freedom of thought and expression are guaranteed and shall be regulated by law.

Article 11.—Freedom of the individual and the inviolability of the home are safeguarded and shall not be violated except according to the requirements of public safety. These principles shall be regulated by law.

Article 12.—Freedom of religions are safeguarded and religious rites shall be respected provided that they do not violate public order or are contrary to public morals.

Article 13.—Private property is safeguarded. Its social role, is to be regulated by law and it shall not be seized except for the public interest and against fair compensation according to the law.

Article 14.—(a) Agricultural ownership shall be limited and regulated by law.

(b) Title to agricultural property shall be preserved according to existing laws until new laws are enacted and provisions made for their implementation.

Article 15.—No tax rate or duty shall be imposed, nor amendments or cancellation thereof shall be made except by law.

Article 16.—National defence is a sacred duty and military service is a source of pride for citizens. This is to be regulated by Law.

Article 17.—Military forces in the Republic of Iraq are the property of the people and its function is the safeguard of the sovereignty of the country and the defence of its territory.

Article 18.—The State alone may establish Armed Forces and no organization or group may set up military or para military establishments.

Article 19.—Persons enjoying Political Assylum shall not be handed over to their country of origin.

CHAPTER III FORM OF GOVERNMENT.

Article 20.—Presidency of the Republic is vested in a "Presidential Council" consisting of a President and two Members.

Article 21.—Legislative Powers are exercised by the Council of Ministers subject to the approval of the Presidential Council.

Article 22.—The Council of Ministers and the Ministers each according to his function shall exercise the executive authority.

Article 23.—Judges are independent, and within their judicial duties. They are subject to no authority save that of the Law. No authority or individual shall violate the independence of the judiciary or judicial affairs. The Organization of the Judiciary shall be regulated by Law.

Article 24.—Meetings of the courts shall be open unless otherwise decided by the court for reasons of public order or morals.

Article 25.—Court decisions and their execution are made in the name of the people.

Article 26.—Laws shall be published in the Official Gazette and are to be in force as from the date of such publication unless otherwise indicated in them. If no date of their coming into force is indicated in them, they shall be effective after the lapse of ten days from the date of their official publication.

CHAPTER IV PROVISIONAL RULES

Article 27.—All decisions, orders, proclamations and regulations by the Commander-in-Chief of the armed forces or the Prime Minister or the Presidential Council in the Interim period from July 14, 1958 until the coming into force of this provisional Constitution shall have the force of Law, whenever there appears to be variation between these and the existing laws and regulation then in force the latter shall be considered amended by the former.

Article 28.—All laws and regulations in force prior to July 14th, 1958 shall continue to be in force. These laws and regulations may however be abrogated or amended as provided in this provisional Constitution.

Article 29.—This provisional Constitution shall come into force from its date of publication in the Official Gazette.

The Minister of the State shall enforce this Constitution.

Done at Baghdad on the Ninth of Muharram Al-Haram 1378 of the Hijra Corresponding to the Twenty-seventh day of July, 1958 of the Christian Era.

Lieutenant General
MOHAMMED JAJIB AL-RUBAI,
President of the Presidential Council.

MOHAMMED MAHDI KUBBA,
Member.

Staff Brig.
ABDUL KARIM QASSEM,
Prime Minister and
Commander of the Armed
Forces.

Dr. ABDUL JABBAR AL-JOMARD,
Minister for Foreign Affairs.
BABA ALI,
Minister of Coms. & Works.
MOHAMMED SIDDIQ SHANSHAL
Minister of Guidance.

DR. IBRAHIM KUBBA,
Minister of Economics.
HUDAIB AL-HAJ MAHMOUD,
Minister of Agriculture.

KHALID AL-NAQSHABANDI,
Member.

Staff Col.
ABDUL SALAM MOHAMMED ARIF,
Deputy Prime Minister,
Minister of Interior & Asst.
Commander-in-chief of the Armed
Forces.

MOHAMMED HADID,
Minister of Finance.

MUSTAFA ALI,
Minister of Justice.

FUAD AL-RIKABI,
Minister of Development.

NAJI TALIB
Minister of Social Affairs.

Dr. MOHAMMED SALIH MAHMOUD,
Minister of Health.

Dr. JABIR OMAR,
Minister of Education.

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